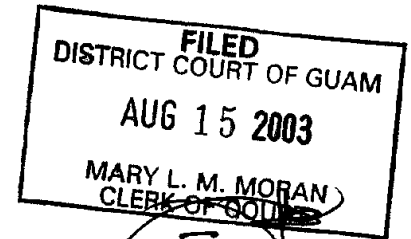


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8 Attorneys for Plaintiff Shell Guam, Inc.

9 IN THE DISTRICT COURT OF GUAM

10 SHELL GUAM, INC.,	)	CIVIL CASE NO. CIV03-00029
11 a Guam corporation,	)	
12	)	
13 Plaintiff,	)	
14	)	
15 vs.	)	MOTION FOR AN ORDER
16	)	REGARDING WEATHER CONDITIONS
17 F/V PALAU MARU NO. 1,	)	
18	)	
19 Defendant.	)	[NO HEARING REQUIRED]
20	)	

21 COMES NOW, Plaintiff Shell Guam, Inc. (hereinafter "Plaintiff") by and through its  
22 attorney of record, Steven A. Zamsky, Esq., of the Zamsky Law Firm, and advises this court of the  
23 matters hereinafter set forth and moves that this court enter an order as hereinafter set forth.

24 Counsel has been advised by the Custodian Captain Jurgen Unterberg (hereinafter  
25 "Custodian"), that the storm which is presently near Chuuk is likely to pass over Guam and it is  
26 possible that the winds will be strong enough to be a danger to the F/V Palau Maru No. 1  
27 (hereinafter "Vessel").

28 The Vessel is seaworthy and has crew and fuel on board as well.

The safest thing for the Vessel is to be at sea and away from the storm.

ORIGINAL

6 Neither Plaintiff nor the Custodian desire to be responsible for any damage to the Vessel due  
7 to the storm.

8 If the storm does pass over Guam, it is presently forecast to do so on Sunday morning,  
9 August 17, 2003.

10 Plaintiff is therefore requesting an order now, but having it come into effect immediately  
11 upon Condition II being declared.

12 **WHEREFORE**, Plaintiff moves the entry for an order as follows:

13 1. At such time within one week of the date of the order as Condition II is declared on  
14 Guam, the arrest shall be released and stayed and the U.S. Marshal and the Custodian shall have no  
15 responsibility for any damage to the Vessel. The Custodian and so much of the crew and other  
16 persons as the Custodian deem appropriate.

17 2. The Arrest shall remain in effect.

18 3. At such time as the Island of Guam is declared to be in Typhoon Condition IV, the  
19 Custodian shall return the Vessel to Guam.  
20

21 Respectfully submitted this 15 day of AUGUST 2003.

22 **ZAMSKY LAW FIRM**  
23 **Attorneys for Plaintiff Shell Guam, Inc.**

24  
25 By: 

26 STEVEN A. ZAMSKY

27 Z8(004.676)\PLD\P#1985  
28